

THE ENLISTMENT QUESTION.—As we said yesterday, the last despatch of Lord Clarendon is far more courteous in its tone and more ingenious in its composition than any similar document emanating from the same source. It bears an appearance of frankness and of an honest desire to avoid offence, and so far, rather changes the aspect of affairs between the two countries, and, perhaps, places things in such a light as to dispense, in some measure with the demand for as urgent vindictive measures, as under other circumstances might have been considered necessary for the assertion of our national honor; but yet we are unable to see that the explanation given by Mr. Crampton is sufficient for his full exculpation from the charges preferred against him. In his reply to the interrogatories of his government, he trusts that the American government will acquit him of any intentional disregard either of the sovereign rights or the policy of this country. He asserts that he never in any way counselled Hertz or Strobel to adopt any course in violation of the neutrality laws of the country, but, on the contrary, cautioned them against doing so, reading to them and explaining clearly the passages of the act of Congress relating to enlistment, and they professed perfectly to understand its provisions, and to make their observance of them a *sine qua non* in all measures which they or their friends in whose name they pretended to speak, might take to avail themselves of the offers held out by the British foreign enlistment act.

He denies that he ever advised or authorized them to violate the neutrality laws and stigmatizes all their statements to that effect as false.

The fact is, that Mr. Crampton did have dealings with these men, whom he characterizes as base and unreliable, and he must take the consequences. If they were the base men he says they are, he ought to have had nothing to do with them; at any rate, it is an ugly game to seek to shield himself from responsibility by pleading the low character of tools with whom his complicity has been proved. If they were not too low to be employed as agents of the British government, they are certainly not to be counted as too low to expose the illegal acts of their employers. Those employers are not the men who can do so with a fair face.—*Daily Journal*, 24th inst.

PRIVATEERING.—THE MARITIME LAW OF NATIONS.—The convention entered into between the parties to the recent pacification at Paris, on the subject of maritime law, embodies all that the United States has contended for from the first, and the refusal to accede to which on the part of Great Britain, gave rise to the war 1812. There is but one matter to which the United States cannot assent—we allude to the abolition of privateering. We have neither a standing army nor permanent navy at all able to cope with those of first class European Powers, and hence our dependence must, in the event of war, be mainly placed in our volunteer force on land and sea, for privateers are nothing more than sea volunteers.

The great advance which remains to be made in the maritime law of the world is the abolition of private war upon sea. Modern civilization scorns the idea of plunder and rapine upon lands as inflicted upon the persons or properties of non-combatants. In theory at least, the public property of the hostile power is the only recognised subject of confiscation, and the public soldiers of the State the only persons to be treated as enemies; and even when this rule is deviated from, as so often occurs, the excuse will be set up that the circumstances of the case render it impossible to separate public from private property, as in the instance of a fortified city subjected to bombardment, &c., &c.

Why should the indiscriminate plunder of non-combatants be the rule at sea more than on land?—For instance: Our commanders in Mexico issued stringent orders to respect the persons and property of the inhabitants of the country, to whom proclamations were made, assuring them of this fact, and that they had nothing to apprehend. But suppose Mexico had possessed a navy, or commercial marine, every merchant vessel of either country at war would have been lawful prize, thus exhibiting the anomaly of protection to private property on land and wholesale seizure and confiscation of the same property at sea. This feature of the usages of war is evidently wrong, and we trust that the day is not far distant when this wrong will cease by the common consent of mankind, and then privateering will cease from the very force of circumstances. Until this is the case, however, the nation with vast powers of volunteer force, and comparatively feeble ones of organized force, will, by agreeing to give up privateering, surrender one of its strongest and most effective weapons, under existing usages.

To the consistent stand taken by the United States, the world is indebted for the greater liberality of the maritime code of the leading nations of Europe. It is for her to press forward this still greater and more truly enlightened reformation that shall put an end to all war upon private property at sea.

37.—We presume Greely & Co. will raise one dismal universal howl over the thrashing that Brooks of South Carolina gave Sumner of Massachusetts. We hardly approve of this style of thing; but what other resort have such men as Sumner, Hale and Greely left open. They traduce men without measure, and refuse the usual satisfaction of gentlemen. Callous themselves, and rather glorying in their shame, they seem to expect that others should follow their example, in which expectation they sometimes find themselves disappointed.

Still, respect for the body of which Mr. Sumner is a member, ought to have prevented a member of another house, from deliberately entering the Senate chamber for the purpose of making that the arena of a personal contest or the scene of personal chastisement. The City of Washington is large enough, in all conscience, for any little exercises of the kind, without kicking up a disturbance in the Capitol; and the office of Mr. Sumner was not such as to demand of Mr. Brooks immediate or instantaneous action;—that is, it was not sufficiently personal to Mr. Brooks as to require vengeance on the spot, since, in fact, it was not done in Mr. Brooks' presence at all.

No doubt Sumner has richly merited a flogging any time for years, and deserved all he got, not for the expression of his opinions upon all subjects of legitimate discussion, but for his malignantly personal attacks upon individuals, and his wholesale denunciations of sections, without rhyme, reason or decency; but then it sounds badly to hear about a Senator being beaten senseless in his seat in the Senate Chamber. Sumner must have been astonished, for he had the floor and could not speak. Not on Sumner's account, but on account of the dignity and reputation of the National Legislature, do we regret this and similar affairs.

NONSENSE.—Mr. Stuart, of Virginia, has figured Fillmore and Donelson into office by a majority of eleven votes. Strangely enough, Mr. Stuart does not claim Virginia, and still more strangely, he does claim North Carolina. If that sort of counting is the best that Mr. Fillmore's friends can do, they had better give up the ship. North Carolina is just as certain to go for the nominee of the Cincinnati Convention, as the election day comes round.

33.—The Baltimore Clipper, a Know-Nothing paper, considerably more Northern than Southern in its tone, is actually accusing South Carolina of selling out to Northern Free Soilism, and, in doing so, following several other Southern States, which have gone for Mr. Pierce. Well, this is a queer world, when a hybrid sort of paper, in a sort of border city, undertakes to call the Democracy of South Carolina to account on the score of deficiency in their devotion to the cause of Southern rights.

Again, President Pierce is the man, of all others, desired by South Carolina, and this upon union and not disunion grounds. The South Carolina delegation in Congress sustain him, as do the majority of the delegation from North Carolina, and other Southern States, and all the talk about his unsoundness upon the slavery question comes from those who own not and never did own a slave—disappointed office-seekers at the North, who are inflamed with such an intense zeal for Southern rights that not even South Carolina is Southern enough in her notions for them. This stuff is all bosh, every bit of it, and those who employ it must be aware of the fact.

33.—Kansas is fast becoming the point towards which all eyes are turned with the most absorbing interest. Lawrence, the head-quarters of the Abolitionists, or Emigrant Aid men, is in a position of defiance to the laws of the territory, and full of rowdies, rifles and bad whiskey. Their leaders profess, on behalf of the crowd at Lawrence, that they are law-abiding men, and willing to obey all legal process, and even to furnish a posse to assist in the execution of any process. The U. S. Marshal contends that they have shown themselves otherwise, and that it is unsafe to trust to their professions, and has, therefore, issued a proclamation, calling upon all good men to come out and assist in the enforcement of the law and the suppression of organized resistance to law. Writs are out for the arrest of Reeder, Robinson and the rest, on the charge of high treason. Unless things are greatly exaggerated, and we presume they are a good deal, the prospect is rather squally out there.

The Crampton Affair.—The letter of Lord Clarendon in reply to the demand for the recall of Mr. Crampton, British Minister, and Messrs. Barclay, Matthews, and Rowcroft, British Consuls at New York, Philadelphia and Cincinnati, is one of the most courteously worded and ingenious documents we have seen for some time. Lord Clarendon argues more in defence of these gentlemen than in reply to the demand of this government, to which he gives no direct reply, neither complying nor absolutely refusing to comply.

He reiterates the expressions of sincere regret entertained by Her Majesty's government, if, contrary to their intentions, and their reiterated directions, there has been any infringement of the laws of the United States. But, at any rate, with these matters Mr. Crampton had no connection, at least he says he had not, and the other gentlemen charged with him make the same assertion, and Lord Clarendon relies upon the testimony of these gentlemen rather than upon that of their accusers, Hertz and Strobel, whom he refers to as totally unworthy of credit.

33.—We forgot to mention, in the multiplicity of things to which our attention has been called, that the Howard Fire Company's Engine was handsomely decorated on Tuesday, and other arrangements made upon the occasion of the Anniversary of the Mecklenburg Declaration.

33.—They can't elect a United States Senator in Connecticut, and the voting in the Legislature on that point has been postponed. Toucey, democrat, is ahead. The coalitionists cannot agree among themselves.

The Southern emigration to Kansas this Spring is several hundred ahead of the Northern. The Emigrant Aid Society has defeated its own object, by stirring up the South.

33.—An attempt will be made to pass the bills appropriating money for the Mississippi River and the St. Clair Flats, over the Presidential veto. It will hardly succeed, we think, at least not in the Senate, although some fears are entertained as regards the House.

33.—Hon. Edward Everett has consented to deliver his address on the character of Washington, at Chapel Hill, during the ensuing Fall.

33.—The General Meeting of the Stockholders in the Wilmington, Charlotte & Rutherford Railroad Company, will be held in Wilmington on the 18th of next month.

FROM KANSAS.—CIVIL WAR IMMINENT.—CHICAGO, May 21.—Dates from Leavenworth, Kansas, to Saturday, have been received. It is stated that Wednesday (to-day) had been fixed upon for the attack contemplated on Lawrence. A complete "reign of terror" existed throughout the territory. Two cannon had been taken across the river from Leavenworth, and the British and French companies of militia had been furnished by Gov. Shannon with United States arms. The Free State men are in want of arms and ammunition. Marshal Donaldson had proclaimed his intention to make clean work this time.

Governor Robinson is still at Lexington. The correspondence of the Leavenworth Inquirer states that a petition was circulating in the border counties praying the immediate removal of Col. Sumner. Mr. Brown, Editor of the Herald of Freedom, writes that "a mob entered the hotel at Kansas City and dragged off one man supposed to have been himself, but discovering their mistake they returned and carried off the proprietor. The proprietor and a company of Michigan emigrants entered the hotel to protect the occupants. The mob still surrounded the hotel at the close of the letter.

There is nothing authentic concerning Brown's fate since his capture.

The St. Louis Democrat's correspondent, under date of the 19th inst., states: Eight to twelve hundred men are camped at Leavenworth. The proprietor of Lawrence had sent a note to Col. Sumner, asking him to station a body of troops in the vicinity to prevent the mob proceeding to sanguinary extremities. He declined, saying that he had no power to move in this matter without orders. In answer to an inquiry, Marshal Donaldson said: "The demand of the government must be complied with. Every man to whom a process had been issued should be surrendered; all the munitions of war in possession of the free State men at Lawrence were to be delivered up, and the citizens of Lawrence should pledge themselves to obey implicitly the enactments of Kansas, under oath." On the receipt of this reply the citizens held a meeting, and drew up a letter to the Marshal, stating that any person acting under him would be permitted to execute a letter of process against any inhabitant of Lawrence. If called upon they would serve as a posse in aiding the making of the arrest. There would not now, nor at any future time, be any resistance to law.

They only waited an opportunity of testifying their fidelity to the Union and the Constitution. They claimed to be law-abiding and order-loving, and asked protection from the constituted authorities of the Government. The purpose of the Marshal's answer was that he did not believe the promises of the people sincere. He regarded them as rebels and traitors, and said they should know his demands when he came.

BANK OF FAYETTEVILLE.—At the annual meeting of the Stockholders of the Bank of Fayetteville, held on the 19th inst., John D. Starr, E. J. Lilly, H. L. Myrover, S. T. Hawley, J. W. Pearce, James Kyle, J. W. Powell, Daniel McDiarmid, and Sampson Brown, were elected Directors for the ensuing year.

At a meeting of the Directors, on the 21st inst., John D. Starr was re-elected President; W. G. Broadfoot, Cashier; W. G. Matthews, Teller; Wm. A. Rose, Discount Clerk; Alex. McPherson, Jr., Deposit Clerk.—*Fayetteville Observer*.

From the Goldsborough Tribune.

Democratic Meeting.

At a meeting of the democracy of Wayne held in the Court House at Goldsboro' on Tuesday the 20th inst. (being court week) E. A. Thompson, Esq., was called to the Chair, and Col. Benj. Aycock was requested to act as secretary.

The Chairman explained the object of the meeting in his usual warm and effective style.

On motion the following gentlemen were appointed a committee to prepare business for the action of the meeting:—Gen. C. H. Brodgen, Sanders P. Cox, Wm. B. Whitfield, Dr. Jethro Murphy and Wm. Robinson.

During the absence of the committee Jas H. Everett, Esq., in response to a unanimous call of the meeting, delivered an animated and interesting speech which was well received and frequently applauded.

After a short absence the committee returned and reported the following resolutions:

1. Resolved, That democracy is an open book, with principle inscribed on every page, it has only to be read to command approval; and we therefore continue to abide by the principles of the democratic party as promulgated by our predecessors ever since the glorious nativity of American Liberty.

2. Resolved, That we are again called upon to endorse and approve another special message of President Pierce to Congress, as one of a series of papers, emanating from a democratic executive, that has never been surpassed for soundness of principle, purity, and patriotism since the days of Washington.

3. Resolved, That we approve of holding a convention in Newbern on the 19th inst., to nominate an elector and sub-electors for this district.

4. Resolved, That the Democracy of Wayne will give its undivided support and aid to secure the election of any good and tried democrat whom the Newbern convention shall name.

5. Resolved, That the Chairman appoint 40 delegates to represent this county in the Newbern Convention. Under this Resolution the Chairman appointed the following delegates:

Black Creek.—Dr. A. G. Brooks, and James Barnes Davis.—Wm. Thompson and Etheldred Sauls. Saulton.—Wm. Lewis and Josiah Gardner, Jr. New Hope.—James Handley, J. F. Wooten, Council Bazel and Lewis Whitfield.

Stoney Creek.—Col. Gard. Thompson and Dewitt C. Cate.

Boswell's.—Henry Yelverton and T. A. Deans. Nahant.—Col. Wm. Hooks and J. G. Barnes. Fork.—Hamilton Howell and Samuel P. Cox. Cross Roads.—Gen. C. H. Brodgen and Everett Smith.

Buck Swamp.—J. E. Smith and Allen Manly. Indian Springs.—Elihu Phipps, James Monaghan, Benjamin Herring and William Whitfield.

Goldsboro'.—John V. Sherrard, D. C. Carrington, James H. Everett, Wm. Robinson, S. D. Phillips, W. R. Bridges, John G. Parker, Dr. John W. Davis, H. R. Nixon, John W. Thompson, Rufus Edmundson, Wm. B. Edmundson, B. H. Smith, C. J. Nelson.

On motion the proceedings of this meeting be published in the Goldsborough Tribune and that the other democratic papers in the District be requested to copy.

On motion, the thanks of the meeting were tendered the Chairman and Secretary, and the meeting adjourned, sine die.

E. A. THOMPSON, Chairman. BENJ. AYCOCK, Secretary.

Further by the Canada.

HALIFAX, May 21.—The foreign fleet by the Canada contain the following additional interesting items:—The *Excalibur*,—The new £50,000,000 loan is to be entirely in consols.

Parliament has adjourned never until the 10th of May.

Mr. Dallas, with his family and secretary of legation, assisted at the Queen's State Ball and levee.

The Crimean Board of Inquiry continues its session, but they have lost all their interest. Col. Hoch being sick.

May 29th is to be a holiday throughout Great Britain to celebrate the peace.

The five regiments in the Crimea under orders for Canada are the 9th, 7th, 39th, 62d and 63d infantry, under the command of Gen. Eyre.

FRANCE.—The weather in France for several days previous to the sailing of the steamer had been very severe.

BELGIUM.—A treaty of commerce and navigation, based on the principles of reciprocity, has just been concluded between Austria and Holland.

DENMARK.—The Hansa towns have refused to adhere to the capitalization forced by Denmark in the question of the Sound Dues.

AVENUE.—The Grand Austria Bishops at Vienna was about adjourning, without having accomplished its object.

ITALY.—It is stated that a collective note of the Powers which signed the treaty of peace is about to be forwarded to the governments of Rome and Naples, recommending certain reforms by the Italian people.

It is also said that the Pope's Legation at Paris formally protested against Count Walewski's language in the Congress, and that the Papal government is preparing a detailed reply thereon.

It is still further rumored that Naples will anticipate the remonstrance of the Powers, by granting an amnesty on an extensive scale.

SARDINIA.—Various questions relative to the Conference have been put to Count Cavour in the Sardinian Chambers. He replied that, pending the negotiations concerning Italy, he could not speak fully, while that of Austria was rejected. Hence the question of Italy must continue to be a European one.

He added that Austria and Austria and Piedmont had not been ameliorated by anything that has occurred, and that the Sardinian government may rely on the people to meet every emergency.

A dispatch from Turin says the memorandum presented by Count Cavour and Villamarina to the Chambers shows that Austria having at the Conference, refused to discuss the condition of Italy, Sardinia is the only State that demands the co-operation of England and France in carrying out the reforms, and shows that Austrian occupation is opposed to the interests of Italy and Europe, and contrary to the treaty, humanity and justice.

Finally, the memorandum calls on England and France to unite with Sardinia in the application of an efficient force.

Naples permits the exportation of breadstuffs until June 15th, at half the previous duty.

FROM THE CRIMEA.—The correspondence from the Crimea to April 26th merely records the preparations for departure.

TURKEY.—Disturbances continue in the Turkish Asiatic territory. There have been various excesses near Samarra.

NEW YORK, May 21.—1 p. m.—The steamship Fulton, from Havre and Southampton 7th inst., has arrived. She brings \$110,000 in specie and the remains of Hon. Dudley Selden, who died in Paris a few months ago. The Fulton also brings the reply of Lord Clarendon to Secretary May's letter.

Important From Havana.

NEW YORK, May 22.—The steamship Quaker City, from Havana, with dates to the 18th, arrived today. Rumors prevailed in Havana that the Spanish Government are about to fit out immediately in that port an expedition to proceed to Costa Rica, and operate against Walker in Nicaragua, and that a distinguished Spanish officer has already been despatched to the scene of future action. It is further rumored that Cruz is to be blockaded by the Spanish forces, in order to enforce the payment of certain claims due to the Spanish Government by Mexico. This movement, it is said, is to be made immediately. The unusual activity prevailing among the Spanish forces of war at Havana, in getting ready for sea, would seem to give some credence to the rumor.

Sugar was active and prices were firm. The receipts of the week amount to 30,000 boxes, and shipment thirty-six thousand. The stock in port was 40,000 and eighty thousand. Exchange on New York 6 1/2 to 7 cts. discount. On London 4 to 5 cts. premium.

The health of Havana was good. The steamship Black Warrior arrived on the morning of the 18th.

Jenny Lind's Letter a Counterfeit Note.

It will be remembered that a letter recently appeared in the papers purporting to be from Jenny Lind, and expressing excessive sympathy for the downfall of Barnum. The man of many humbugs, however, with a fortitude not easy to understand, denies its authenticity, whereupon the New York Post perpetrates the following:

How all rejoiced to read kind Jenny's note, A woman's sympathetic sob in every line! Alas, that Barnum should be forced to "quote" That note as forged—the sob not JENNY'S WHINE.

From the New York Journal of Commerce, May 15th.

The New Rules of Maritime Law.

The declaration made by the plenipotentiaries who lately met in Congress at Paris, respecting maritime law, will work an important change in the law of nations, and give increasing protection to neutral commerce. On the part of Great Britain, it is the surrender of pretensions to which she has ever clung, on the strength of her maritime supremacy, and as the result of supposed acquired and necessary right, which had the effect to give unnecessary malignity to all her contests (excepting the one with Russia) and to damage other commercial nations. The plenipotentiaries declared that—

1. Privateering is, and remains abolished.

2. That the neutral flags are enemy's goods, with the exception of contraband of war, which, with the exception of contraband of war, are not liable to capture under enemy's flag.

3. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

4. The Casus, in his interesting Memoirs of the conversations of Napoleon at St. Helena, informs us that the Emperor was on one occasion to review the subject of his maritime quarrel with England, and that he observed, "Her pretensions to blockade are a mere pretence, a mere right of toll upon the sea. I instantly replied by the celebrated Milan decree, which denationalized every flag that submitted to the English acts, and it was then that the war became in England truly personal."

The United States has ever protested against paper blockades, and has ever maintained that the law of the sea does not permit of neutrals or their property, whether upon rivers or the ocean, or in whatever vessels. In our treaty with Russia, concluded at Washington in July, 1854, there are the following articles:

"The two high contracting parties recognize as permanent and immutable the following principles:—

1. That free ships make free goods—that is to say, that the effects or goods belonging to subjects or citizens of a power or state at war, are free from capture and confiscation when found on board of neutral vessels, with the exception of articles contraband of war.

2. That the property of neutrals on board an enemy's vessel is not subject to capture, except in cases of contraband of war. They engage to apply these principles to the commerce and navigation of all such powers and states as shall consent to adopt them on their part as permanent and immutable—reserving a right to consider in what manner the first article shall be thus applied.

The declaration that free ships make free goods, was widely approved by Great Britain up to the time of the war with Russia. During that war she yielded this ground, which the Queen then announced:—

"To preserve the commerce of neutrals from all unnecessary obstruction, Her Majesty is willing, for the present, to waive a part of the belligerent rights appertaining to her by the law of nations."

Her Majesty will waive the right of seizing enemy's property on board a neutral vessel, unless it be contraband of war." The treaty with Russia was invited by Mr. Pater, who, in his dispatch to our Minister at St. Petersburg, thus expresses himself:—

"I have thrown out the suggestion to Great Britain and France to adopt this as a rule to be observed in all future wars; and hence the United States may properly lay claim to the establishment of this doctrine."

It will be recollected that the President in his annual message in 1854, noticed a suggestion of the King of Prussia to connect the abolition of privateering with the proposed settlement of the rights of neutrals on the sea, and that it was disagreed to, on the ground set forth by the President, that the commerce of a nation engaged in a small naval war, would be at the mercy of its enemy, in case of a war with a power of decided naval superiority.

"The Navy of the first maritime power in Europe," said the President, "is at least ten times as large as that of the United States. The foreign commerce of the nation is nearly equal, and about equally exposed to hostile depredations. In war between that power and the United States, war would rest on our side, and our commerce, made the means of our enemy to inflict injury upon our commerce, would be tenfold greater than ours to retaliate. We could not extricate our country from this unequal condition, with such an enemy, unless we at once departed from our present peaceful policy, and became a great naval power." The President however added, "Should a belligerent power of Europe consent in proposing an act of international law, to exempt private property on the ocean from seizure by public armed cruisers, as well as by privateers, the United States will readily meet them on that broad ground."

The declaration made by the plenipotentiaries at Paris comes short of this ground. It covers neutral property in enemy's ships and enemy's property in neutral ships, but does not cover enemy's property in enemy's ships; that is to say, the private property of individual citizens. In our treaty with Prussia, negotiated by Franklin in 1785, there was a stipulation that, in case of war, neither should commission privateers to prey upon the commerce of the other, but it has been since modified.

In 1824, Mr. Rush, our Minister at that time at the Court of St. James, proposed to the British plenipotentiaries (Mr. Huskisson and Stratford Canning) to abolish privateering and the capture of private property at sea; but this course was declined, inasmuch as other maritime questions had been shut out from the negotiation. "My own opinion," he unequivocally said (Mr. Rush) that Great Britain would not consent to any such proposal, and that the proposition for abolishing private war upon the ocean." The usages of modern war exempt private property on the land from seizure and confiscation, but not on the sea; and so long as these maritime captures are resorted to by Great Britain, privateering will continue to be practiced as a means of countervailing her superior forces.

Two Veto Messages.

The President returned to Congress, yesterday, two bills making appropriations for the improvement of rivers and harbors, with his objections to their passage. It will be seen from the messages accompanying these bills, which we publish below, that they are more than any other bills, the subject of which Congress has not the power, under the constitution, to carry on a general system of internal improvements. He does not elaborate the question—this he had done in a former message, but announces in plain, unambiguous, and direct language, his conscientious convictions as to the constitutional questions involved in the question of internal improvements.

The following are the messages:

TO THE SENATE OF THE UNITED STATES.

I return herewith to the Senate, in which it originated, the bill entitled "An act to remove obstructions to navigation in the mouth of the Mississippi river, at the Southwest Pass and Pass a l'Ouverture," which proposes to appropriate a sum of money, to be expended under the superintendence of the Secretary of War, for the opening, and keeping open, ship channels of sufficient capacity to accommodate the wants of commerce through the Southwest Pass and Pass a l'Ouverture, leading from the Mississippi river to the Gulf of Mexico."

In a communication, addressed by me to the two houses of Congress on the 30th of December, 1854, my views were exhibited in full on the subject of the general principle of the question, and I set forth on that occasion the constitutional impediments which, in my mind, are insuperable, to the prosecution of a system of internal improvements by means of appropriations from the treasury of the United States; more especially the consideration that the constitution does not confer on the general government any express power to make such appropriations; that they are not a necessary and proper incident of any of the express powers; and that the assumption of authority on the part of the federal government to commence and carry on a general system of internal improvements, while exceptional for the want of constitutional power, is, in other respects, prejudicial to the several interests, and inconsistent with the true relation to one another, of the Union and of the individual States.

These objections apply to the whole system of internal improvements, whether such improvements consist of works on land or in navigable waters, either of the sea coast or of the interior lakes or rivers. I have not been able, in the most careful reflection, to regard the bill before me in any other light than as part of a general system of internal improvement.

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TO THE HOUSE OF REPRESENTATIVES.

I return herewith to the House, in which it originated, the bill entitled "An act to remove obstructions to navigation in the mouth of the Mississippi river, at the Southwest Pass and Pass a l'Ouverture," which proposes to appropriate a sum of money, to be expended under the superintendence of the Secretary of War, for the opening, and keeping open, ship channels of sufficient capacity to accommodate the wants of commerce through the Southwest Pass and Pass a l'Ouverture, leading from the Mississippi river to the Gulf of Mexico."

In a communication, addressed by me to the two houses of Congress on the 30th of December, 1854, my views were exhibited in full on the subject of the general principle of the question, and I set forth on that occasion the constitutional impediments which, in my mind, are insuperable, to the prosecution of a system of internal improvements by means of appropriations from the treasury of the United States; more especially the consideration that the constitution does not confer on the general government any express power to make such appropriations; that they are not a necessary and proper incident of any of the express powers; and that the assumption of authority on the part of the federal government to commence and carry on a general system of internal improvements, while exceptional for the want of constitutional power, is, in other respects, prejudicial to the several interests, and inconsistent with the true relation to one another, of the Union and of the individual States.

ments, and therefore feel constrained to submit it, with these objections, to the reconsideration of Congress.

FRANKLIN PIERCE.

WASHINGTON, May 19, 1856.

SPECIAL MESSAGE.

To the Senate of the United States:

I return herewith to the Senate, in which it originated a bill entitled "An act making an appropriation for deepening the channel over the St. Clair falls, in the State of Michigan," and submit it for reconsideration, because it is in my judgment, liable to the objections to the prosecution of internal improvements by the general government which have already been presented by me in previous communications to Congress.

In considering this bill under the restriction that the power of Congress to construct a work of internal improvement is limited to cases in which the work is manifestly needful and proper for the execution of some one or more of the powers expressly delegated to the general government, I have not been able to find for the proposed expenditure any such relation, under the law of nations, to the common defence and to maintain an army and navy. But a careful examination of the subject, with aid of information officially received since my last annual message was communicated to Congress, has convinced me that the expenditure of the sum proposed would serve no valuable purpose as contributing to the common defence, because such a channel would be of no use to the commerce of the country, and of so temporary a character that unless the work was done immediately, it could not be relied on for the vessels of even the small draught the passage of which it would permit.

Under existing circumstances, therefore, it cannot be considered as a necessary means for the common defence, and is subject to those objections which apply to other works designed to facilitate and contribute to the convenience and local prosperity of those more immediately concerned—an object not to be constitutionally and justly attained by the taxation of the people of the whole country.